

# **TROY CITY COUNCIL**

## **AGENDA**

December 4, 2000 – 7:30 P.M.  
Council Chambers – City Hall  
500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3300

## **INVOCATION**

Pastor Don Gardner – Zion Christian Church

## **ROLL CALL**

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## **CONSENT AGENDA**

**The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (*Rules of Procedure for the City Council, Article 10, as amended April 12, 2999.*)**

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## **REGULAR BUSINESS**

**Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 12, as amended April 12, 1999.**

**Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.**

F-1	Nominations/Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Board of Zoning Appeals; (c) Economic Development Corporation; (d) Election Commission (e) Municipal Building Authority; (f) Planning Commission; and (g) Traffic Committee	4
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9	Enhancement Funding Application for Big Beaver Road/I-75 Interchange	12

## **COUNCIL COMMENTS/REFERRALS**

### **VISITORS**

**Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. *(Rules of Procedure for the City Council, Article 12, as amended April 12, 1999.)***

## **REPORTS AND COMMUNICATIONS**

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(a)	Request for Parking Variance- Kohl's Department Store, 500 John R Road – Scheduled for Monday, December 18, 2000 at 7:30 p.m. in Council Chambers	
(b)	Proposed Zoning Ordinance Text Amendment – Temporary Retail Sales in M-1 Districts (#175) - Scheduled for Monday, January 8, 2001 at 7:30 p.m. in Council Chambers	
(c)	Proposed Rezoning – West Side of Dequindre, South of Wattles – Section 24 – R-1C to O-1 (Z-212) - Scheduled for Monday, January 8, 2001 at 7:30 p.m. in Council Chambers	
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**Call to Order:**

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**Invocation and Pledge of Allegiance:**

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Pastor Don Gardner – Zion Christian Church

**Roll Call:**

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Mayor Jeanne M. Stine  
Henry W. Allemon  
Martin F. Howrylak  
Thomas S. Kaszubski  
Anthony N. Pallotta  
Louise E. Schilling  
John R. Stevens

**A-1 Minutes: Regular Meeting of November 20, 2000**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the Minutes of the Regular Meeting of November 20, 2000 be approved.

Yes:

No:

**A-2 Presentations: (a) Introduction of David Allen, Proposed Student Representative to Board of Zoning Appeals; (b) Introduction of Jerry Org, Proposed Student Representative to Traffic Committee**

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**PUBLIC HEARINGS****C-1 Public Hearing – Local Law Enforcement Grant**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, On December 4, 2000, a Public Hearing was held before the City Council of the City of Troy, at which Public Hearing persons were given an opportunity to provide written and oral views to the Troy City Council, the authority responsible for enacting the budget, and to ask questions about the entire budget and the relationship of the Local Law Enforcement Block Grant Award payment to the entire budget; and

WHEREAS, The City Council of the City of Troy, after conclusion of the Public Hearing on this date, has determined that Local Law Enforcement Block Grant funds in the amount of \$33,168.00 should be used to purchase Automated External Defibrillators (AED's);

NOW, THEREFORE, BE IT RESOLVED, That the purchase of Automated External Defibrillators (AED's) is hereby designated and approved for use of Local Law Enforcement Block Grant Funds in the amount of \$33,168.00.

Yes:

No:

**CONSENT AGENDA**

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. **A member of the audience who wishes to speak in opposition to the recommended action for any given consent agenda item may do so with the approval of a majority vote of City Council.** Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. (*Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.*)

**E-1 Approval of Consent Agenda**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

**E-2 Closed Session**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections (d) and (e), after adjournment of this meeting.

**E-3 Option to Renew – Hauling and Disposal of Dirt and Debris**

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Suggested Resolution

Resolution #2000-

RESOLVED, That a one-year contract with an option to renew for one additional year to provide hauling and disposal of dirt and debris from the DPW Yard was awarded to A & B Trucking, Inc. and Republic Waste Services Of Michigan (Resolution 2000-117), and;

WHEREAS, Both awarded bidders have agreed to exercise the option to renew the contract for one additional year under the same prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the contracts with A & B Trucking, Inc. and Republic Waste Services of Michigan are hereby renewed under the same contract prices, terms, and conditions for one year expiring February 28, 2002.

**E-4 Bid Award – Elevator Inspection, Maintenance and Repair**

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Suggested Resolution

Resolution #2000-

RESOLVED, That a three-year contract for elevator maintenance services with an option to renew for two additional years is hereby awarded to the low bidder, Elevator Technology Inc. of Detroit at an estimated total contract cost of \$12,000.00, plus repair services at unit prices contained in the bid tabulation dated November 21, 2000, a copy of which shall be attached to the original Minutes of this meeting, contingent upon contractor submission of properly executed proposal and contract documents, including bonds, insurance certificates and all other specified requirements.

**REGULAR BUSINESS**



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Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.

**F-1 Nominations/Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Board of Zoning Appeals; (c) Economic Development Corporation; (d) Election Commission (e) Municipal Building Authority; (f) Planning Commission; and (g) Traffic Committee**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

**(a) Advisory Committee for Persons with Disabilities**

Council Appointment

\_\_\_\_\_ Term Expires 11-01-2003

**(b) Board of Zoning Appeals**

Mayor with Council Approval

\_\_\_\_\_ Term of Planning Rep. Expires 12-31-2001

\_\_\_\_\_ Term of Planning Rep Alternate Expires  
12-31-2001

\_\_\_\_\_ Student Rep Term Expires 07-01-2001

**(c) Economic Development Corporation**

Mayor with Council Approval

\_\_\_\_\_ Term Expires 04-30-2006

\_\_\_\_\_ Term Expires 04-30-2003

**(d) Election Commission**

Appointment by Council

\_\_\_\_\_ Term Expires 12-31-2001

**(e) Municipal Building Authority**

Mayor with Council Approval

\_\_\_\_\_  
Term Expires 01-31-2002**(f) Planning Commission**

Mayor with Council Approval

\_\_\_\_\_  
Term Expires 12-31-2003\_\_\_\_\_  
Term Expires 12-31-2003\_\_\_\_\_  
Term Expires 12-31-2003**(g) Traffic Commission**

Appointed by Council

\_\_\_\_\_  
Student Rep Term Expires 07-01-2001

Yes:

No:

**F-2 Extension of Preliminary Plat Approval – Matthew’s Farm Subdivision – South of Maple, West of Milverton – Section 36**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That Tentative Preliminary Plat Approval for Matthew’s Farm Subdivision located south of Maple, west of Milverton in Section 36, as granted on December 21, 1998, and extended to December 21, 2000, is hereby further extended to December 21, 2001.

Yes:

No:

**F-3 Relocation of Engineering Department Field Personnel**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the Engineering Department Field Staff shall vacate their temporary office space at the Community Center and relocate to the recently acquired Metro Insurance building at 3236 Rochester Road with estimated move in costs of \$40,012.46 for paved parking expansion and telecommunications hook ups available in the 2000-2001 Engineering Department budget.

Yes:

No:

**F-4 Expired and Abandoned Industrial Development Districts, and Industrial Facilities Exemption Certificates**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy had formerly established Industrial Development Districts (IDD's), and granted Industrial Facilities Exemption Certificates (IFEC's) for Certificate #'s 85-414, 85-640, 86-712, 87-465, 88-156, 88-370, 90-412, and 94-619; and

**F-4 Expired and Abandoned Industrial Development Districts, and Industrial Facilities Exemption Certificates - Continued**

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WHEREAS, The certificates have expired, or the projects have been abandoned;

THEREFORE BE IT RESOLVED, That the City Council of the City of Troy hereby vacates the Industrial Development Districts established at 2927 Elliott (IFEC #85-414), 2222 Stephenson (IFEC #85-640), 2250 Meijer (IFEC #'s 86-712, & 94-619), 1775 John R (IFEC #87-465), 1911 Woodslee (IFEC #88-156), 1725 John R (IFEC #88-370), and 164 Indusco (IFEC #90-412), all located in the City of Troy, County of Oakland, State of Michigan;

THEREFORE, BE IT ALSO RESOLVED, That the City Council of the City of Troy also rescinds and revokes the following abandoned or expired Industrial Facilities Exemption Certificates (IFEC's) being Certificate #'s 85-414, 85-640, 86-712, 87-465, 88-156, 88-370, 90-412, and 94-619.

BE IT ALSO RESOLVED, That a copy of this resolution be forwarded to the Michigan State Tax Commission by certified mail.

Yes:

No:

- F-5 Traffic Committee Recommendations: (a) Recommend Deferring Action on the Athens High School Issues Until the Planning Commission Approves the Site Plan with the Combined Drive; (b) Recommend Taking No Action on the Request to Move the Rochester and Charrington Traffic Signal to Rochester and Torpey; (c) Recommend Taking No Action to Address Speeding Concerns at the Corner of Salem and Lanergan; (d) Recommend Removing NO RIGHT TURN ON RED Sign on Eastbound Wattles at Coolidge; (e) Recommend Installation of NO PARKING Signs on Eastbound Virginia Street (East of John R) and the "T" Turnaround, at the Direction of the Traffic Engineer; (f) Recommend Rescinding Traffic Control Order #98-04-P to Permit Removal of NO PARKING Signs in Front of 4857 Hyde Park**
- 

- a) Recommend Deferring Action on the Athens High School Issues Until the Planning Commission Approves the Site Plan with the Combined Drive**
- 

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That action on the Athens High School issues is deferred until the Planning Commission approves the Site Plan with the combined drive.

Yes:

No:

- b) Recommend Taking No Action on the Request to Move the Rochester and Charrington Traffic Signal to Rochester and Torpey**
- 

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED That there be no action on the request to move the Rochester and Charrington traffic signal to Rochester and Torpey.

Yes:

No:

- c) Recommend Taking No Action to Address Speeding Concerns at the corner of Salem and Lanergan**
- 

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That there be no action taken to address speeding concerns at the corner of Salem and Lanergan.

Yes:

No:

**d) Recommend Removing NO RIGHT TURN ON RED Sign on Eastbound Wattles at Coolidge**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the NO RIGHT TURN ON RED sign on eastbound Wattles at Coolidge be removed.

Yes:

No:

**e) Recommend Installation of NO PARKING Signs on Eastbound Virginia Street (East of John R) and the "T" Turnaround, at the Direction of the Traffic Engineer**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That NO PARKING signs be installed on eastbound Virginia Street (east of John R) and the "T" turnaround, at the direction of the Traffic Engineer.

Yes:

No:

**f) Recommend Rescinding Traffic Control Order #98-04-P to Permit Removal of NO PARKING Signs in Front of 4857 Hyde Park**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That Traffic Control Order #98-04-P to Permit Removal of NO PARKING signs in front of 4857 Hyde Park is hereby rescinded.

Yes:

No:

**F-6 Request for Approval for Temporary Office Trailer - Oakland Medical Center - 115 E. Long Lake Road**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the request from Universal Imaging and Oakland Medical Center, to place an office trailer on the site of the shopping center, to be used for medical testing, for a period not to exceed 12 months, is hereby approved at 115 E. Long Lake, in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

Yes:

No

**F-7 Request for Unconditioned Offers – Fee, Permanent Easements and Temporary Construction and Grading Permits/Easements - West Big Beaver Improvement Project – Adams to Coolidge - Project #93.207.6 - Parcel #1-N thru 3-N and 1-S thru 6-S**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, In order to proceed on schedule with the Big Beaver Improvement Project from Adams to Coolidge, Project #93.207.6, it is necessary for the City to obtain the needed permanent and temporary rights to complete the project as outlined in the memorandum of November 29, 2000, from the Real Estate and Development Department;

BE IT RESOLVED, That the Real Estate and Development Department is hereby authorized to make unconditioned offers for the needed permanent and temporary right of way on Parcels #1-N thru 3-N and 1-S thru 6-S in the amounts of the appraisals, which are outlined in the Department memo of November 29, 2000, a copy of which is attached and shall become part of these Minutes; plus closing costs, and the value of any trees and/or shrubs severely damaged and/or destroyed in the temporary areas as a result of the City's project; and

BE IT FURTHER RESOLVED, That the City Attorney is hereby authorized, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

Yes:  
No

**F-8 Revision of the City of Troy Criminal Code**

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Suggested Resolution  
Resolution #2000-  
Moved by  
Seconded by

BE IT ORDAINED, That a new ordinance to revise the City of Troy Criminal Code, entitled Chapter 98 of the Code of the City of Troy, be hereby adopted as recommended by the City Attorney, a copy of which shall be attached to the original Minutes of the meeting.

Yes:  
No:

**F-9 Enhancement Funding Application for Big Beaver Road/I-75 Interchange**

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Suggested Resolution  
Resolution #2000-  
Moved by  
Seconded by

RESOLVED, That the Troy City Council authorizes submission of an application to the Michigan Department of Transportation's Transportation Enhancement Activity Program for installation of landscaping at the Big Beaver Road/I-75 interchange; and

BE IT FURTHER RESOLVED, That the City of Troy, as project sponsor, will contribute 50% in matching funds.

Yes:  
No:

**COUNCIL COMMENTS/REFERRALS****VISITORS**

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## **REPORTS AND COMMUNICATIONS**

### **G-1 Proposed City of Troy Proclamations**

### **G-2 Minutes – Boards and Committees:**

- (a) Planning Commission – October 24, 2000
- (b) Advisory Committee for Senior Citizens – November 2, 2000
- (c) Planning Commission – November 14, 2000
- (d) Downtown Development Authority - November 18, 2000
- (e) Board of Zoning Appeals – November 21, 2000

### **G-3 Department Reports:**

- (a) Police Department - 2000 Year-to-Date Crime and Police Calls for Service
- (b) Parks & Recreation – Concession Stand Operations Report

### **G-4 Announcement of Public Hearing:**

- (a) Request for Parking Variance- Kohl's Department Store, 500 John R Road – Scheduled for Monday, December 18, 2000 at 7:30 p.m. in Council Chambers
- (b) Proposed Zoning Ordinance Text Amendment – Temporary Retail Sales in M-1 Districts (#175) - Scheduled for Monday, January 8, 2001 at 7:30 p.m. in Council Chambers
- (c) Proposed Rezoning – West Side of Dequindre, South of Wattles – Section 24 – R-1C to O-1 (Z-212) - Scheduled for Monday, January 8, 2001 at 7:30 p.m. in Council Chambers

### **G-5 Proposed Proclamations/Resolutions from Other Organizations:**

- (a) Resolution from City of Huntington Woods, Michigan – Religious Land Use and Institutionalized Persons Act of 2000

### **G-6 City Council Request for Information On Changing Tax Abatement Policy**

### **G-7 Assistant to the City Manager Position**

### **G-8 Letter from Richard E. Memmer – Resignation from Board of Review**



- G-9 Letter from James G. Redmond, Ph.D – Superintendent of Oakland Schools for 2000 ONE (Oakland Network for Education)**

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- G-10 Letter from Clawson Police Department Commending Officer Livingston**

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- G-11 Letter from Clawson Police Department Commending Officers Daniel and Owczarzak**

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- G-12 Letter from Robert Book – Director of Security – Jules R. Schubot Jewelers-Gemologists Commending Troy Police Department and Officer Kocendo**

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- G-13 Letter from Faith Apostolic Church Commending Troy Police Department During the Routing of a Funeral Procession for Reverend Mark Reed**

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- G-14 Letter from Ramani Kakarala to the Engineering Department in Appreciation of the Traffic Signal Enabling her to Safely Cross Big Beaver Road**

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- G-15 Snow Removal Procedure – Executive Summary**

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- G-16 Letter from Barbara S. Mellen Expressing Gratitude for Assistance to William Need**

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- G-17 Projects Approved for FY 2001-2003 in the Transportation Improvement Program (TIP)**

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- G-18 Planning Consultant Services**

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- G-19 Letter from Gail J. Yax – Teacher at Troy High School Commending Officers Klute and Cole**

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- G-20 Real Estate and Development – Environmental Issue – Maple Road Public Storage**

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- G-21 Update on the Community Center Project**

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- G-22 Update on the Community Center Site Plan Approval**

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- G-23 Informational Public Meeting for the Big Beaver – Cunningham to Adams Road Construction Project**

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**G-24 Parks and Recreation Advisory Board Membership**

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Respectfully submitted,

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John Szerlag, City Manager